

Senate File 2283

S-5062

1 Amend Senate File 2283, as passed by the Senate, as
2 follows:
3 1. Page 4, by striking lines 8 through 29.
4 2. By striking page 5, line 22, through page 6,
5 line 5.
6 3. Page 6, after line 7 by inserting:
7 <Sec. _____. Section 484B.1, Code 2011, is amended by
8 adding the following new subsection:
9 NEW SUBSECTION. 3A. "Elk" means an animal
10 belonging to the cervidae family and classified as part
11 of the canadensis species of the cervus genus.
12 Sec. _____. NEW SECTION. **484B.4A Minimum enclosed**
13 **acreage — exceptions.**
14 1. A hunting preserve on which elk are kept must
15 include at least three hundred twenty contiguous acres
16 which are enclosed by a fence as required pursuant to
17 section 484B.5. However, a person may keep elk only
18 on a hunting preserve that includes a fewer number of
19 enclosed acres if either of the following applies:
20 a. The commission grants a waiver for the hunting
21 preserve according to terms and conditions required by
22 the commission. The hunting preserve must include at
23 least one hundred sixty contiguous acres.
24 b. (1) The hunting preserve was operated as a
25 business on January 1, 2005.
26 (2) If the hunting preserve operated as a business
27 on January 1, 2005, the landowner or the landowner's
28 successor in interest may sell or otherwise transfer
29 ownership of the hunting preserve to another person
30 who may continue to operate the hunting preserve
31 in the same manner as the landowner. However, this
32 subparagraph shall not apply if the owner of the
33 hunting preserve or any successor in interest fails to
34 meet the licensing requirements of section 484B.4 each
35 year.
36 Sec. _____. Section 484C.1, Code 2011, is amended by
37 adding the following new subsection:
38 NEW SUBSECTION. 3A. "Elk" means an animal
39 belonging to the cervidae family and classified as part
40 of the canadensis species of the cervus genus.
41 Sec. _____. Section 484C.5, Code 2011, is amended to
42 read as follows:
43 **484C.5 Minimum enclosed acreage — exceptions.**
44 1. A hunting preserve must include at least three
45 hundred twenty contiguous acres which are enclosed by a
46 fence certified pursuant to section 484C.6. However,
47 the hunting preserve may include a fewer number of
48 enclosed acres if any of the following applies:
49 1. a. The commission grants a waiver for the
50 hunting preserve according to terms and conditions

1 required by the commission. The hunting preserve must
2 include at least one hundred sixty contiguous acres.
3 ~~2. a. b.~~ (1) The hunting preserve was operated
4 as a business on January 1, 2005.
5 ~~b.~~ (2) If the hunting preserve operated as a
6 business on January 1, 2005, the landowner or the
7 landowner's successor in interest may sell or otherwise
8 transfer ownership of the hunting preserve to another
9 person who may continue to operate the hunting preserve
10 in the same manner as the landowner. However, this
11 ~~paragraph subparagraph~~ shall not apply if the owner of
12 the hunting preserve or any successor in interest fails
13 to register with the department as provided in section
14 484C.7 for three or more consecutive years.
15 ~~3. a. c.~~ (1) The hunting preserve was not
16 operated as a business on January 1, 2005, and all of
17 the following apply:
18 (1) (a) The hunting preserve has at least one
19 hundred contiguous acres.
20 (2) (b) The hunting preserve's fence is certified
21 by the department not later than September 1, 2005.
22 ~~b.~~ (2) If the hunting preserve complies with
23 ~~paragraph "a" subparagraph (1),~~ the landowner or the
24 landowner's successor in interest may sell or otherwise
25 transfer ownership of the hunting preserve to another
26 person who may continue to operate the hunting preserve
27 in the same manner as the landowner. However, this
28 ~~paragraph subparagraph~~ shall not apply if the owner of
29 the hunting preserve or any successor in interest fails
30 to register with the department as provided in section
31 484C.7 for three or more consecutive years.
32 2. Notwithstanding any other provision of this
33 chapter or chapter 484B, a person may keep whitetail
34 and elk together on a hunting preserve that includes
35 less than three hundred twenty enclosed acres if the
36 person receives a waiver as provided in subsection 1,
37 paragraph "a" or meets the conditions specified in
38 subsection 1, paragraph "b".>
39 4. Page 6, after line 13 by inserting:
40 <Sec. _____. EFFECTIVE UPON ENACTMENT. The following
41 provision or provisions of this Act, being deemed of
42 immediate importance, take effect upon enactment:
43 1. The sections of this Act amending sections
44 484B.1, 484C.1, and 484C.5.
45 2. The section of this Act enacting section
46 484B.4A.>
47 5. Title page, line 3, by striking <and>
48 6. Title page, line 4, after <applicable> by
49 inserting <, and including effective date provisions>
50 7. By renumbering as necessary.